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U.S. Department of Justice

United States Attorney Southern District of New York

The Silvio J. Mollo Building One Saint Andrew's Plaza New York, New York 10007

December 22, 2023

BY ECF and EMAIL

Hon. Paul A. Engelmayer United States District Judge Southern District of New York 40 Foley Square New York, NY 10007

> Re: United States v. Cerchio et al., 23 Cr. 330 (PAE)

Dear Judge Engelmayer:

The Government respectfully writes, with the consent of defendant, to request a brief extension of both parties' sentencing submission deadlines in advance of the sentencing for defendant Vincent Spagnuolo scheduled for January 9, 2024.

Currently, the defendant's sentencing submission is due on December 26, 2023 and the Government's sentencing submission is due on January 2, 2024. However, the final Presentence Investigation Report ("PSR") will not be disclosed until January 2, 2024 and, due to the expedited sentencing for this defendant, there has been no initial PSR disclosure. Accordingly, the Government requests an extension of the deadline for the defendant's submission until January 3, 2024 and an extension of the deadline for the Government's submission until January 5, 2024, so that both parties have an opportunity to review and, if necessary, respond to the PSR in formulating their sentencing submissions and any recommendations contained therein.

The parties do not request any adjournment of the January 9, 2024 sentencing date.

GRANTED. SO ORDERED.

PAUL A. ENGELMAYER **United States District Judge**

Dated: December 26, 2023

New York, New York

Respectfully submitted,

DAMIAN WILLIAMS United States Attorney

by: ___ /s/

Justin Horton Alexandra S. Messiter

Assistant United States Attorneys

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Counsel of record (via ECF) cc: